

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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LOCAL 3621, EMS OFFICERS UNION, DC-37, AFSCME, AFL-CIO, Individually and on behalf of its members, Renae Mascol, and Luis Rodriguez, on behalf of themselves and on behalf of all other similarly-situated individuals,

18-cv-4476 (LJL)(SLC)

Plaintiffs,

**NOTICE OF MOTION  
FOR SANCTIONS**

-against-

CITY OF NEW YORK; NEW YORK CITY FIRE DEPARTMENT; DEPARTMENT OF CITYWIDE ADMINISTRATIVE SERVICES; and John and Jane Does ##1-20, the identity of such persons being unknown to Plaintiffs but intended to describe those persons responsible for the promotional policies of the City of New York,

Defendants.

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**PLEASE TAKE NOTICE**, that upon the accompanying Memorandum of Law dated September 8, 2020, the Declaration in Support dated September 8, 2020, and upon all of the pleadings and proceedings heretofore had herein, Plaintiffs will move this court before Judge Lewis J. Liman, United States District Judge, at the Daniel Patrick Moynihan United States Courthouse, located at 500 Pearl Street, New York, New York 10007-1312, for an order pursuant to Rule 37 of the Federal Rules of Civil Procedure to sanction Defendants for their defiance of the Court's March 31, 2020 and June 30, 2020 Orders directing Defendants to produce discovery related to Plaintiffs' upcoming motion for class certification no later than June 30, 2020 and to compel Defendants to produce this discovery in a usable and searchable native format in the immediate and in time for Plaintiffs to use in upcoming depositions, and for such other, further, or different relief as may be just, proper, and equitable.

I declare under the penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Dated: New York, New York  
September 8, 2020

THE KURLAND GROUP

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